

**REMARKS:**

The allowance of **independent Claim 37** as part of Claims 37 to 46 is appreciated and these remain unamended subject to a minor clarification in Claim 43.

In regard to **independent Claim 1**, this has been amended to make more clear the limitation concerning the support of the bench by the plenum. It is now made clear that the plenum is a "generally rectangular structure defined by upstanding side walls and having a bottom portion for contacting a floor and a top portion providing support for the respective bench so as to transfer weight from the bench to the floor".

In regard to this feature in the rejection by the Examiner under 35 U.S.C.103 the Examiner has referred at page 3, line 5 to the U-shaped hangers 15 of Sonoda which carry the ducts on the structure of the bench. The claim has now been amended to make clear that the plenum supports the bench (not vice versa) and that the plenum has upstanding side walls and top and bottom to provide that support.

It is submitted therefore that the rejection of the Examiner has been overcome by this amendment since none of the prior art documents provide disclosure of this feature now that it has been clarified. As none of the prior art documents disclose this feature a rejection under 35 U.C.S.103 is no longer proper. It is submitted therefore that Claim 1 and the claims dependent thereon should be allowed.

In regard to **independent Claim 20**, this has been amended to make more clear the limitation that each air handling system is associated with a respective bench and each **has its own** air intake plenum, air intake, fan, outlet duct, air outlet, exterior air and air conditioning component, **so that each of these elements is separate from the elements of the other air handling systems.**

The Examiner has cited in combination under 35 U.S.C.103 the prior art of Takano, Sonoda and the new reference of Meckler. However each of these provides common components for the air handling systems so that there is basically a common system with ducts which supply the air to required locations.

Thus in Takano there is a common fan 6, common duct, common opening 12 to the exterior, common inlet 11 from the interior and probably common air conditioning components although this is not clear since there is no disclosure in this regard.

Thus in Sonoda there is a common fan 5 presumably leading from a common air inlet and common connection to the exterior.

In Meckler as shown in Figure 3 there is disclosed merely a common HVAC system for a building with individual drops within the building.

The Examiner therefore has no prior art document which discloses this feature so that a rejection under 35 U.S.C.103 is not proper.

In addition it is submitted that the present invention is entirely counter-intuitive in that it provides individual components as defined for the individual benches and thus apparently is an inefficient arrangement ignoring the economies of scale, so that the invention cannot be merely an obvious combination.

It is submitted therefore that the claims as amended are in good order for allowance.

Minor corrections have been made in the dependent claims for consistency of language.

Incidentally it is pointed out that a minor error has been made by the Examiner in respect of the analysis of Takano in respect of the rejection of Claim 7 where the Examiner suggests that Takano discloses air ejection at duct 11 above the benches. However as previously explained and as apparently previously accepted by the Examiner Takano discloses that duct 11 is an air intake in the interior of the house which allows air to be taken into the duct 10 either at interior inlet 11 or at exterior inlet 12. Neither of these is an outlet since the outlet is under the bench. While this error does not affect the analysis of Claims 1 and 20 above, it is noted for the record.

It is submitted therefore that Claims 1 and 20 as amended and Claim 37 as previously allowed are in good order for allowance and reconsideration is respectfully requested.

Respectfully submitted

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CERTIFICATION OF FACSIMILE TRANSMISSION

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